

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Jack D. Simrill and
Virginia A. Simrill,

Plaintiff,

v.

John Hancock Life Insurance
Company and J. Martin
Schroeder,

Defendants.

Civil Action No. 9:13-3421-SB

ORDER

This matter is before the Court upon the Magistrate Judge's report and recommendation ("R&R"), which recommends that the Court dismiss Virginia Simrill as a Plaintiff in this action, without prejudice. In the R&R, the Magistrate Judge notes that Virginia Simrill did not sign the pleadings. The Magistrate Judge also noted that although Virginia's husband, Jack Simrill, did sign the pleadings, he may represent himself pro se, but he may not represent his wife. Prior to filing the R&R, the Magistrate Judge filed an order granting the Plaintiffs the opportunity to cure the defect; however, despite being granted an extension of time to do so, the Plaintiffs did not. Moreover, to date, no objections have been filed to the Magistrate Judge's R&R recommending that Virginia Simrill be dismissed without prejudice.

In the absence of specific objections, the Court reviews the matter only for clear error. See Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (stating that "in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must 'only satisfy itself that there is no clear error on the face

of the record in order to accept the recommendation.' ") (quoting Fed. R. Civ. P. 72 advisory committee's note).

Here, because no objections were filed, the Court has reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge for clear error. Finding none, the Court hereby adopts the R&R (Entry 22) and dismisses Virginia Simrill as a party Plaintiff in this action, without prejudice.

AND IT IS SO ORDERED.



Sol Blatt, Jr.
Senior United States District Judge

March 19, 2014
Charleston, South Carolina

